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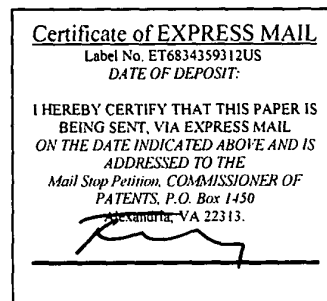
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/737,494

Filed: 12/15/2000

For: **APPARATUS AND SYSTEMS FOR
MEASURING, MONITORING, TRACKING
AND SIMULATING ENTERPRISE
COMMUNICATIONS AND PROCESSES**



Art Unit: 2163

Examiner: Not Yet Assigned

Atty Dkt.: 78-00

RECEIVED

MAY 21 2003

Commissioner of Patents
Alexandria, VA 22313

OFFICE OF PETITIONS

**Additional Statement in Support of the Petition For Revival of an Application
Abandoned Unintentionally Under 37 CFR 1.137(b)**

1. This statement is attached in support of the Petition For Revival of an Application Abandoned Unintentionally Under 37 CFR 1.137(b). As more than 12 months have passed since the Application may have been abandoned, it is believed that an additional statement may be required by the Office under The Manual of Patent Examining Procedure 711.03(b).

2. The undersigned was first advised that the Application was abandoned within the past three months, by way of a telephone conversation with an Patent Office representative on the status line. Applicant had never previously received a notice of abandonment. Previously, and as recently as late February, 2003, the undersigned had

been advised that the Application was due to be published, via a telephone conversation with a representative on the status line.

3. The Application has been held abandoned because of an alleged failure to file drawings with corrected margins. Those drawings are enclosed herein in a reply to the Notice to File Corrected Drawings (enclosed.)

4. Applicant's correspondent, the undersigned, in fact believed the drawings were filed. The docket sheet (copy enclosed) showed that publication was due on or about June 15, 2002, indicating corrected drawings were timely filed. They cannot, however, be located in Applicant's file.

5. The undersigned was associated at the time with a firm that utilized an experienced paralegal, who would have, it is believed, have acted appropriately in providing corrected drawings and docketing the date. The paralegal has since left that firm.

5. The question of the status of the Application was raised by Applicant to the undersigned in a meeting in January, 2003. At that time, the undersigned believed, and communicated to Applicant that the Application was proceeding slowly through the Patent Office, because the application was in an art (computer science) where the Office backlog was severe, with a first Office Action not to be expected for at least 2 to 3 years.

6. Any failure to file the corrected drawings was unintentional, and any delay in filing this Petition is also unintentional. Applicant's representative has acted as expeditiously as possible in filing this Petition, once the status of the Application was ascertained.

7. The undersigned is a duly registered patent attorney, having been practicing admitted to practice before the Patent Office since 1989, and has never before requested the revival of an application.

Respectfully submitted,



Joseph E. Chovanes
Reg. No. 33,481
Suite 329
5 Great Valley Parkway
Malvern, PA 19355

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6/07/2002

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Page: 1

ocket No	JEC 78-00	Application	12/15/2000
ountry	United States	Patent No	
ase Type	Regular	Grant Dt	
elation Typ	Original Filing	Publication	
iling Type	National	Publication	
iling No		Assigned	
ttorney	Joseph E. Chovanes	Expiration D	
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lient\Divis	Promenix, Inc.	Tax Base Dt	
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tatus	Filed	Oper Grp	
irst Filing	12/15/2000	Ag Ref No	
ub Stat		Client Docke	
ub Stat Dt		Frqn. Asc. D	
arent Count		Verified	N
arent Filin		Customer	DSPP
arent No		Create Dt	06/07/2002
arent Grant		Update Dt	06/07/2002
otal Claims		Update Tm	1104
nd. Claims		Update User	KMS
pplication	09/737,494	Update Type	

** Actions **

Action	IDS	Comp Dt	
Act Due Date	03/15/2001	Resp Atty #1	
Taken Dt		Resp Atty #2	
DeadLn Dt			

Action	Notice to File Corrected A	Comp Dt	
Act Due Date	04/01/2001	Resp Atty #1	
Taken Dt		Resp Atty #2	
DeadLn Dt			

Action	Published	Comp Dt	
Act Due Date	06/15/2002	Resp Atty #1	
Taken Dt		Resp Atty #2	
DeadLn Dt			

Action	No Foreign Filing	Comp Dt	
Act Due Date		Resp Atty #1	
Taken Dt		Resp Atty #2	
DeadLn Dt			

** Inventors **

Inv Name	Vincent R. Cyr	Assigned	12/07/2000
Inv Name	Kenneth Fritz	Assigned	12/08/2000

** Other No's **

Other No Cd	Confirmation Number (U.S.)	Other No Dt	02/01/2001
Other No	7574		

** Title **

Title	Apparatus and Systems for Measuring, Monitoring, Tracking an
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6/07/2002

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Page: 2

d Simulating Enterprise Communications and
Processes



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P.O. Box 1450
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www.uspto.gov

JOSEPH E CHOVANES
2047 LOCUST STREET
PHILADELPHIA, PA 19103

Paper No. 6

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JUL 18 2003

OFFICE OF PETITIONS

In re Application of
Vicent R. Cyr, et al.
Application No. 09/737,494
Filed: December 15, 2000
Attorney Docket No. 78-00

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 19, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Corrected Application Papers mailed February 1, 2001. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on April 2, 2001.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5594.

The application file is being forwarded to the Office of Initial Patent Examination for further processing.

Retta Williams

Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: Joseph E. Chovanes
Suite 329, 5 Great Valley Parkway
Malvern, PA 19355